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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/662,406	09/16/2003	Joong Seo Park	YHK-0119	9669		
34610	7590	05/18/2009	EXAMINER			
KED & ASSOCIATES, LLP P.O. Box 221200 Chantilly, VA 20153-1200				SHERMAN, STEPHEN G		
ART UNIT		PAPER NUMBER				
2629						
MAIL DATE		DELIVERY MODE				
05/18/2009		PAPER				

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: JOONG SEO PARK and HYUN MOK YU

Application No. 10/662,406
Technology Center 2600

Mailed: May 18, 2009

Before Deborah L. Perry, Supervisory Paralegal Specialist, Review Team.
Perry, Supervisory Paralegal Specialist, Review Team.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on April 30, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

PRIOR ORDER FOR RETURN

A prior “Order Returning Undocketed Appeal to Examiner” was mailed on April 15, 2009, wherein the Examiner was instructed that corrections were required. A review of the file finds that the required corrections have not been made in entirety. The matters still requiring attention prior to docketing are identified below.

EXAMINER’S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed on November 13, 2007, in response to the Examiner’s Answer mailed September 11, 2007.

Title 37, Code of Federal Regulations, §41.43 states:

(a)(1)... the primary examiner must acknowledge receipt and entry of the reply brief. In addition, the primary examiner may withdraw the final rejection and reopen prosecution or may furnish a supplemental examiner’s answer responding to any new issue raised in the reply brief.

The Communication mailed April 30, 2009, constitutes a **Supplemental Examiner’s Answer** as per MPEP§ 1208, part II. **A Supplemental Examiner’s Answers requires a Director or designees approval.**

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) vacate the Communication mailed April 30, 2009;
- 2) generate and mail either:
 - a) a revised Communication properly acknowledging to the Reply Brief dated November 13, 2007, in accordance with MPEP§ 1208, part II.; OR
 - b) issue a Supplemental Examiner's Answer with the required signature (Technology Center Director or designee); and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DLP/bar

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